

# ELLIS:LAWHORNE

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February 16, 2005

## **VIA ELECTRONIC AND 1<sup>ST</sup> CLASS MAIL SERVICE**

The Honorable Charles L.A. Terreni

**Executive Director**

**SC Public Service Commission**

P.O. Drawer 11649

Columbia, SC 29211

RE: Application of Nationwide Professional Teleservices, LLC for a  
Certificate of Public Convenience and Necessity to Provide Resold  
Intrastate Interexchange Telecommunications Services Within the State of  
South Carolina  
**Docket No. 2004-283-C, Our File No. 932-10267**

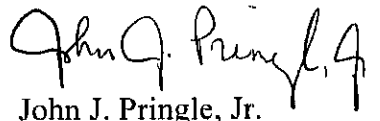
Dear Mr. Terreni:

Enclosed is the original and twenty-five (25) copies of the **Testimony of Sheri Lutich** filed on behalf of Nationwide Professional Teleservices, LLC in the above-referenced docket.

Please acknowledge your receipt of this document by file-stamping the copy of this letter enclosed, and returning it via the person delivering same.

If you have any questions or need additional information, please do not hesitate to contact me.

Very truly yours,



John J. Pringle, Jr.

JJP/cr

cc: Ms. Sheri Lutich [via first-class mail service]  
Ms. Monique Byrnes [via first-class mail service]  
Office of Regulatory Staff Legal Department [via first-class mail service]

Enclosures

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**BEFORE THE  
STATE OF SOUTH CAROLINA  
PUBLIC SERVICE COMMISSION**

In re: Application of )  
**Nationwide Professional Teleservices, LLC** )  
for a Certificate of Public Convenience )  
and Necessity to Provide Intrastate Resold )  
Interexchange Telecommunications Services )  
Within the State of South Carolina )

**Docket No.: 2004-283-C**

**Nationwide Professional Teleservices, LLC  
("Nationwide Professional Teleservices")**

**Prefiled Testimony of**

**Sheri Lutich, President**

1    **Q.     Will you please state your name and business address.**

2    A.     My name is Sheri Lutich. My business address is 14001 63<sup>rd</sup> Way, Clearwater, Florida 33760.

3  
4    **Q.     By whom are you employed and in what capacity?**

5    A.     I am the President of Nationwide Professional Teleservices, LLC.

6  
7    **Q.     Please give a brief description of your background and experience.**

8    A.     I am responsible for overseeing the company's operation and strategic direction. I have been involved  
9           in the telecommunications business since 2001. I previously served as Director of Marketing for  
10          Protel Communications where I handled all sales, as well as managed and maintained existing  
11          accounts. In 2001, I was Director of Sales for Group One Networks where her responsibilities  
12          included List Acquisitions and the management and sale of Data Files. In these roles, I have played a  
13          key role in developing and directing marketing strategies in the communications industry.

14  
15   **Q.     What is the purpose of your testimony?**

16   A.     The purpose of my testimony is to present evidence describing the technical, managerial and financial  
17          fitness of Nationwide Professional Teleservices to provide resold interexchange telecommunications  
18          services in South Carolina. This testimony will also describe the services proposed by Nationwide  
19          Professional Teleservices and the proposed tariff structure. Finally, the purpose of my testimony is to  
20          show that the public interest will be served by approval of the application of Nationwide Professional  
21          Teleservices for a certificate of public convenience and necessity.

22  
23   **Q.     Has Nationwide Professional Teleservices registered to do business in South Carolina?**

24   A.     Yes. Nationwide Professional Teleservices, LLC received foreign corporation authority on August 25,  
25          2004.

26  
27   **Q.     Please explain the Company's corporate structure.**

28   A.     Nationwide Professional Teleservices, LLC is a limited liability corporation organized in Florida on  
29          August 5, 2004.

1   **Q.     Please describe the services Nationwide Professional Teleservices proposes to offer.**

2   A.     Nationwide Professional Teleservices intends to provide telecommunications service throughout the  
3           state of South Carolina. The Company's service offering is an unlimited long distance service plan  
4           that allows Customers to place an unlimited number of intrastate and interstate toll calls for a flat rate  
5           per month. Calls are placed via a toll free access number. The plan does not require that the Customer  
6           be presubscribed to the Company, nor does it require an authorization code. The plan only requires  
7           that the calling number be recognized as belonging to a Subscriber. Service will be provided twenty-  
8           four (24) hours per day, seven (7) days a week.

9  
10          Service is provided through the Company's underlying carrier that has been selected for the best  
11          combination of quality and price. Nationwide will ensure that all underlying carriers it uses hold  
12          appropriate certification issued by this Commission. The underlying carrier must identify the ANI of  
13          the Nationwide Professional Teleservices Customer in order to complete the call.

14  
15   **Q.     Does Nationwide Professional Teleservices own any network switches or transmission facilities**  
16           **used in routing calls?**

17   A.     No.

18  
19   **Q.     How will Nationwide Professional Teleservices bill for its services?**

20   A.     Customers will have the option not to receive monthly bills. To the extent that Commission Rule 103-  
21           622 requires that the Company provide customers with monthly bills, the Company seeks a waiver of  
22           that rule. Customers provide the company with banking information, and the flat monthly charge shall  
23           be deducted monthly from the customer's bank account. The service provided by the carrier is access  
24           code dialing only (not presubscribed service). Customers will receive information from the Company  
25           on how to use the service. The information package will contain the Company's toll free number.

26  
27   **Q.     How are trouble reports, billing errors and complaints handled?**

28   A.     Nationwide Professional Teleservices utilizes a nationwide toll-free number (877) 819-3025 for  
29           customer service. Customers may call that number Monday through Friday, 8 AM to 5 PM Eastern  
30           Standard Time. After hours emergencies are handled by voicemail, and are called back the next  
31           business day.

32

1    **Q.    Describe the proposed Nationwide Professional Teleservices' South Carolina tariff.**  
2    A.    Nationwide Professional Teleservices has included a proposed interexchange tariff which contains the  
3        rules, regulations and rates for Nationwide Professional Teleservices' interexchange services as  
4        **Exhibit V** to the Company's application.  
5  
6    **Q.    Where is Nationwide Professional Teleservices currently certificated?**  
7    A.    Nationwide Professional Teleservices has received authority to provide telecommunications services  
8        in Florida, Indiana, New Jersey, and Texas. The Company is currently in the process of filing for  
9        certifications nationwide. Nationwide Professional Teleservices is not affiliated with any other  
10       telecommunications provider, and has never had an application for authority denied or revoked.  
11  
12   **Q.    Describe Nationwide Professional Teleservices' financial ability to operate as a**  
13        **telecommunications reseller.**  
14   A.    Nationwide Professional Teleservices has submitted its opening Balance Sheet to show it has the  
15        financial resources to operate successfully as a telecommunications reseller to consumers in South  
16        Carolina. The Company's Balance Sheet is included as **Exhibit IV** of its Application.  
17  
18   **Q.    Do you believe Nationwide Professional Teleservices is capable of delivering its proposed**  
19        **services in South Carolina?**  
20   A.    Yes, in addition to having sufficient financial resources, Nationwide Professional Teleservices has a  
21        team of experienced managers. Brief resumes of key personnel are included as **Exhibit III** to the  
22        Company's application.  
23  
24   **Q.    Where in South Carolina does Nationwide Professional Teleservices intend to offer its services**  
25        **and how will those services be offered?**  
26   A.    Services will be offered to residential customers through direct telemarketing. A copy of the  
27        Company's telemarketing script is attached hereto as Exhibit A. The Company intends to offer its  
28        services statewide.

1 **Q. Is the Company seeking exemptions from any of South Carolina's regulatory requirements?**

2 A. Nationwide Professional Teleservices requests a waiver of the requirement of 26 S.C. Reg. 103-610  
3 that a carrier keep all records required by the Commission's rules and regulations within the State of  
4 South Carolina. Since the Company's corporate office is in California maintaining its books and  
5 records in South Carolina would be unduly burdensome. Nationwide Professional Teleservices will  
6 have a registered agent in South Carolina and will bear any costs associated with the Commission's  
7 inspection of its books and records. As set forth above, to the extent that Commission Rule 103-622  
8 requires the Company to provide customers with monthly bills, Nationwide Professional Teleservices  
9 requests a waiver of this rule.

10  
11 Further, Nationwide Professional Teleservices also seeks an exemption for any policies that might  
12 require a carrier to maintain its financial records in conformance with the Uniform System of  
13 Accounts ("USOA"). As a competitive carrier, Nationwide Professional Teleservices maintains its  
14 books in accordance with Generally Accepted Accounting Principles ("GAAP"); and therefore, does  
15 not possess the detailed cost data required by USOA.

16  
17 **Q: Will the Company comply with all applicable statutory and regulatory requirements of the**  
18 **State of South Carolina and this Commission?**

19 A: Yes.

20 **Q: Will the Company file all applicable reports as required by the Commission?**

21 A: Yes. The Company is aware of the Commission's requirements that all telecommunications carriers  
22 file a report on South Carolina operations, a gross receipts report, and a universal service contribution  
23 report on an annual basis.

24  
25 **Q. How will South Carolina consumers benefit from Nationwide Professional Teleservices'**  
26 **services?**

27 A. Certification of Nationwide Professional Teleservices will increase the level of long distance  
28 competition in South Carolina. Nationwide Professional Teleservices offers quality long distance  
29 services at competitive prices. In addition, Nationwide Professional Teleservices' marketing plan will  
30 expand subscriber awareness of options and services available to them, thus encouraging the growth  
31 and success of competitive services.

1    **Q.**    **Does this conclude your testimony?**

2    **A.**    **Yes.**

# **EXHIBIT A**



# Nation Wide Professional Teleservices

Hello, this is \_\_\_\_\_ with Nationwide Professional Teleservices. How are you today? We're contacting (STATE) residents today who are spending more than \$20.00 a month on their phone bills. You're still spending more than \$20.00 a month on your phone bill, correct?

Great Mr. / Mrs. \_\_\_\_\_, Nationwide Professional Teleservices would like to introduce you to a new unlimited long distance product which also includes dial up unlimited internet access and 800 access voice mail. The service is available to you by dialing an 800 number and allows you to place long distance calls within the state or to anywhere within the United States for a single monthly charge.

Mr / Mrs \_\_\_\_\_ would you like to subscribe to this service?

(IF NO)

You do understand that you do not have to change your long distance carrier in order to take advantage of this unlimited long distance, voice mail and internet service offering.

(IF NO)

Thank you for your time. Should you reconsider, please contact Nationwide Professional Teleservices at \_\_\_\_\_

(IF YES)

Thank you. I will set you up for a 14 day risk free trial of the service. Within the next 3-5 days you will receive your Welcome Package and have a chance to look everything over. After your 14-day trial you will be charged \$39.95 per month, plus the one-time set up fee of \$19.95 for as long as you remain a customer.

Great, for your convenience we either charge the monthly fee to your checking account or the monthly fee can appear on your local telephone bill. Should you not cancel in 14-days what method of payment would you prefer?

## **Check Payment:**

1. I want to confirm your mailing address as \_\_\_\_\_ correct?
2. And your home phone number is \_\_\_\_\_ correct?
3. And the name of your bank is?
4. Want name appear on the account?
5. Are you an authorized signer?
6. Please look to the bottom of the check and read all the numbers left to right

Revised 10/7/2004

# Nation Wide Professional Teleservices

## **LEC Bill:**

1. I want to confirm your mailing address as \_\_\_\_\_ correct?
2. And your home phone number is \_\_\_\_\_ correct?
3. Are you 18 years of age or older and authorized to make changes and or incur charges on phone number \_\_\_\_\_?

Mr. / Mrs. \_\_\_\_\_ please remember if you decide the service is not for you, call and cancel within the 14-day period and you will not be billed.

Please write down our customer service number.